



# Zoning & Planning Committee Report

## City of Newton In City Council

**Monday, July 31, 2023**

Present: Councilors Crossley (Chair), Albright, Danberg, Wright, Krintzman, Leary, Baker, and Ryan

Also Present: Councilors Laredo, Lucas, Oliver, Norton, Markiewicz, Humphrey, Greenberg, Downs, Lipof, Malakie

City Staff: Barney Heath, Director of Planning; Jennifer Caira, Deputy Director of Planning; Zachary LeMel, Chief of Long Range Planning; John Sisson, Economic Development Director; Andrew Lee, Senior Assistant City Solicitor; Jonathan Yeo, Chief Operating Officer; Anthony Ciccariello, Commissioner of Inspectional Services; and Jaclyn Norton, Committee Clerk

Planning & Development Board: Kelly Brown, Peter Doeringer, Lee Breckenridge, Kevin McCormick, Amy Dain, Jennifer Molinsky

For more information regarding this meeting, a video recording can be found at the following link: [Zoning and Planning Committee - July 31, 2023 \(newtv.org\)](https://www.newtv.org/Zoning-and-Planning-Committee-July-31-2023)

**#245-23      Appointment of Jane Obbagy to the Economic Development Commission**

HER HONOR THE MAYOR appointing Jane Obbagy, 28 Lenox Street, Newton as a member of the Economic Development Commission for a term of office to expire on September 11, 2026. (60 Days: 09/08/23)

**Action:**      **Zoning & Planning Approved 7-0 (Councilor Danberg Not Voting)**

**Note:**      Ms. Obbagy described her background regarding economic development issues on an international scale, as well as serving on the Town of Concord's Economic Vitality Committee. A Councilor asked Ms. Obbagy what she believes she could bring from her experience on the Economic Vitality Committee to the Economic Development Commission. Ms. Obbagy detailed that her time on that committee was during the pandemic and that members of the committee would each bring ideas to the table which resulted in initiatives being started to help businesses thrive. Councilors voted 7-0 (Councilor Danberg Not Voting) on a motion to approve from Councilor Albright.

**#205-23      Petition to rezone lots on Charles Street**

TERRENCE P. MORRIS, ESQ. petitioning to amend the City of Newton’s Zoning Map by changing the current zoning of the property known as and numbered 132 Charles Street, Newton, Ma, and shown on the City of Newton Assessor’s database as Section 41, Block 06, Lots 14, currently zoned MULTI-RESIDENCE 1 and MANUFACTURING, and Section 41, Block 06, Lot 26, currently zoned MANUFACTURING, to MIXED USE 1.

**Action:**      **Zoning & Planning Approved 6-0-2 (Councilors Krintzman and Ryan Abstaining)**

**Note:**          The Chair noted that the use table requested by committee members on July 24th is included in the planning memo for this item. Zachary LeMel reminded that in the previous meeting, more information was also requested regarding the rationale for this request as well as allowed uses. Terrence Morris, Esq provided a memo detailing this rationale which was also included in the packet. The Mixed Use 1 district requested for the two parcels, which are currently zoned as both manufacturing and multi residence, would allow for slightly more development than the Manufacturing zone but does not allow for the more intensive uses than the Manufacturing zone.

A Councilor expressed concern about voting in favor of the request due to the owner not looking to do anything different with the building. Attorney Morris later stated that his client is seeking certainty regarding the zoning of the parcel. Another Councilor also sought clarification regarding uses on parcels near 132 Charles St. Mr. LeMel reminded that the Massachusetts Turnpike, railroad tracks, and the Charles River abut this site, making it relatively isolated. Councilors voted 6-0-2 (Councilors Krintzman and Ryan Abstaining) on a motion to approve from Councilor Albright.

**Chair’s note:** *Staff and Utile will present an illustration of development that could evolve using the VCOD along a particular street in Newton. Councilor Wright will present a tool she developed to quantify unit capacity if the metrics are modified. The majority of the meeting will be to review and discuss the text by substantive sections as per the staff outline, take straw votes on each section, and consider amendments relevant to each section.*

**#38-22      Request for discussion and amendments to the Zoning Ordinance and Zoning Map regarding village center districts**

ZONING & PLANNING COMMITTEE requesting review, discussion and possible ordinance amendments relative to Chapter 30 zoning ordinances pertaining to Mixed Use, business districts and village districts relative to the draft Zoning Ordinance. (formerly #88-20)

**Action:**      **Zoning & Planning Held 8-0**

**Note:**          The Chair noted that there will be several parts to discussion on this item. First, Utile and Planning staff will present an illustration of development that is likely to evolve under the (Village Center Overlay District) VCOD, by examining a particular area of the city and looking

into the decisions that affect development potential. Next, Councilor Wright will present a tool that she and councilor Oliver developed that can quantify unit capacity if metrics are modified. The committee will then focus on the draft text pre the substantive sections provided by the Planning Department, consider any amendments relevant to each section, and take straw votes.

### **Illustration of Potential Development**

Loren Rapport, Senior Associate at Utile, Inc., presented the attached presentation that focuses on potential development along Madison Avenue in Newtonville. This street was chosen among many considered because it is mapped to include VC3, VC2, and MRT zones, as the street runs from a key retail corridor to a residential neighborhood.

When evaluating the likelihood of development using the overlay zoning on these the parcels along Madison Ave. The following key factors were taken into consideration:

- **Parcel Ownership** – If the site is owned by more than two owners it is less likely to be developed in the near or medium-term.
- **Parcel Size** – If the parcel is of a smaller size, the developer may wait to acquire an adjacent parcel to build closer to the maximum allowable footprint.
- **Size of Existing Development** – If the existing building is close to the allowable massing thresholds proposed in the overlay zoning, no new development will likely happen on the parcel.
- **Existing Value** – Parcels where newer development exists will not be likely candidates for redevelopment in the near or medium-term.
- **MRT Conversion vs New Construction** – Parcels with existing development within 100 sf of the proposed 1,500 sf maximum allowable footprint (ground floor area) will be more likely to choose the multi-family conversion option rather than new construction.

By evaluating sites along Madison Avenue using the above information, the attached presentation provides a “soft site analysis,” *which identifies how likely a parcel is for redevelopment*, to determine which parcels would most likely develop over time as short-term, medium-term, and long-term development along Madison Ave. Test fits were diagrammed on the various parcels. Ms. Rapport stated that short-term is what could happen in as little as 0-4 years, medium-term is 5-8 years, and long-term is 9+ years.

A Councilor asked if the attractiveness of the underlying zoning was considered in this analysis. Ms. Rapport stated that this analysis only looked at these parcels through the lens of the VCOD. This Councilor also proposed a landscaping requirement be added to help aid in the transition from VC3 or VC2 to residential neighborhoods. When asked about parking Ms. Rapport stated that it was assumed that some parking would be built, and that the parking was varied due to different factors specific to each site She noted the parking setback. The analysis did not examine subdivisions or combining lots. Multiple Councilors thanked staff and Ms. Rapport for the detailed analysis.

**Councilor Wright Unit Calculation Tool**

Councilors Wright and Oliver developed a tool to calculate the total unit capacity of the entire VCOD, using the MBTA Communities Compliance Guidelines. The number of units counted does not represent the number of units that will be built. Councilor Wright noted that the district used for compliance in Newton must have a minimum unit capacity of 8330 units, but the current version 2.0 of the VCOD (used to reach compliance) results in a unit capacity of 10,000 units. This does not include lots over 30,000 sf, mixed-use priority streets, areas outside of ½ mile from public transit and less than 5 acres. Councilor Wright stated that with all areas of the VCOD included, the councilor's tool calculates a unit capacity of 17,920. It is important to note that this tool has not been vetted by the Planning Department for accuracy, as it was delivered to staff only this afternoon.

This tool uses data from the Assessor's database. Each property was classified as one of the VCOD zones along with if they were part of the mixed-use priority streets, and if they are abutting a residential or non-residential lot. Variables within this database include setbacks, average unit size, maximum building footprint, special permit threshold, and story heights. Inputting these variables allow the tool to calculate the maximum footprint possible on a site.

The Councilors designed this tool to better understand how changing various zoning parameters in the VCOD would affect the unit capacity according to the MBTA formula, although the tool is not intended to replace the compliance model provided by the Massachusetts Department for Housing and Community Development (DHCD), and produces slightly different unit counts.

Multiple Councilors noted how the model needs to be studied more to fully understand its accuracy. Jennifer Caira, Deputy Director of Planning, stated that this tool does not factor in the mapping component of the MBTA Communities unit capacity calculation, which must be factored in. For example, areas zoned VCOD with less than 5 contiguous acres, such as Auburndale village, may not be counted towards MBTA compliance. Ms. Caira also reminded about the sensitivity study the Planning Department provided relating to parking requirements. ([05-22-23 Planning Memo - #38-22](#)), which showed how dramatically requiring on-site parking would reduce the unit count. Several councilors noted the importance of zoning for what is best for Newton and our village centers, versus seeking minimum compliance capacity. The formula is for DHCD to determine compliance only, and does not take into account what is already built. Several also noted the economic analyses to support the scale proposed.

**Ordinance Text Review.**

The Chair thanked councilors who submitted amendments to the text in advance, and noted that they will be taken up as they relate to the substantive section. She noted that after staff describe each substantive section, the intention is to take straw votes on relevant amendments and the section., and that Planning staff will use these decisions to craft Version 3.0 to be advertised in advance of reopening the public hearing in September. The Chair noted that taking straw votes in this way, as the committee did a year ago when determining to proceed with the

framework, is a normal process or refinement, emphasizing that straw votes are not definitive, and Councilors may change their minds.

### **Approval Process (Review Thresholds)**

Mr. LeMel reviewed that Version 2.0 of the VCOD proposal sets the level of review based on the size of the parcel. Parcels under 20,000 sf will be by-right, parcels 20,000 sf -29,999 sf will undergo site plan review conducted by the Planning & Development Board, and parcels over 30,000 sf will need to seek a special permit. He noted that these thresholds were determined based on extensive research by staff and consultants along with urban design best principles.

During the discussion, some Councilors expressed concern with the inability to deny a project through site plan review and the reduced council oversight. Staff noted that the Planning Board may put conditions on a project which can be enforced, but they cannot make the project infeasible. Ms. Caira also noted the level of risk that a developer takes when seeking a special permit.

Three amendments were submitted and included in the Friday Packet that seek to reduce the parcel size threshold for special permit review. Councilor Baker proposed reducing the special permit threshold to 25,000 sf to maintain some extra scrutiny within this new overlay district, and noted how the special permit process produces better quality design. Upon further reflection, Councilor Baker amended his motion to set the special permit threshold at 20,000 sf. Committee members voted 2-6 (Councilors Leary, Albright, Krintzman, Crossley, Danberg, and Ryan Opposed) on a straw vote for each of these amendments.

Amendments proposed to reduce the special permit threshold to 15,000 sf (Laredo) and between 10,000 sf and 15,000 sf (Wright) were not taken up due to the failure of the previous two amendment.

Committee members voted 6-2 (Councilors Wright and Baker Opposed) on a straw vote to maintain the special permit threshold at 30,000 sf.

Councilor Wright proposed an amendment to make the special permit threshold for parcels on mixed use priority streets at 10,000 sf., since these lots do not count towards MBTA Communities compliance and to allow for greater discretionary review within the core of many village centers. Another Councilor noted how reducing the threshold will significantly discourage development. Councilors voted 2-6 (Councilors Leary, Albright, Krintzman, Crossley, Danberg, and Ryan Opposed) on a straw vote against this amendment.

Councilor Wright proposed an amendment to require a public hearing for projects undergoing site plan review, to make sure that the public can still provide input on a project. Mr. LeMel noted that other communities are adding this requirement and that adding it would require informing the public that although the Planning & Development Board may condition a project, it may not deny a project. Committee members voted unanimously in favor of this amendment.

Councilor Laredo proposed an amendment to remove site plan review from the proposal. This amendment was withdrawn.

Councilors voted 8-0 on a motion to hold from Councilor Albright.

**#39-22      Requesting discussion on state guidance for implementing the Housing Choice Bill**

COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)

**Action:      Zoning & Planning Held 8-0**

**Note:**      This item was discussed with item #38-22. A written report can be found with item #38-22.

**#246-23      Appointment of Anthony Ciccariello as Commissioner of Inspectional Services**  
HER HONOR THE MAYOR appointing ANTHONY CICCARIELLO as COMMISSIONER OF INSPECTIONAL SERVICES pursuant to Sec 3-3 of the City Charter. (30 Days: 08/09/23)

**Action:      Zoning & Planning Approved 8-0**

**Note:**      The Chair noted the letter from the Mayor which praises Anthony Ciccariello's performance and qualifications. Mr. Ciccariello spoke regarding his experience with zoning and building code enforcement and how that is a major part of the job. Councilors commended Mr. Ciccariello's willingness to help others find a solution to a problem along with his work ethic and practical experience in the field. Committee members voted 8-0 on a motion to approve from Councilor Danberg.

**#243-23      Reappointment of Kathryn Cade to the Conservation Commission**  
HER HONOR THE MAYOR reappointing Kathryn Cade, 195 Islington Road, Auburndale as a full member of the Conservation Commission for a term of office to expire on July 31, 2026. (60 Days: 09/08/23)

**Action:      Zoning & Planning Approved 8-0**

**Note:**      The Chair read item #243-23 into the record. Committee members expressed no concerns relative to the reappointments and voted 8-0 on a motion to approve from Councilor Krintzman.

**#244-23      Reappointment of Jeffrey Riklin to the Newton Upper Falls Historic District Commission**

HER HONOR THE MAYOR reappointing Jeffrey Riklin, 37 High Street, Newton Upper Falls as a full member of the Newton Upper Falls Historic District Commission for a term of office to expire on July 31, 2026. (60 Days: 09/08/23)

**Action:**        **Zoning & Planning Approved 8-0**

**Note:**        The Chair read item #244-23 into the record. Committee members expressed no concerns relative to the reappointments and voted 8-0 on a motion to approve from Councilor Krintzman.

The meeting adjourned at 10:36pm.

**Respectfully Submitted,**

**Deborah J. Crossley, Chair**

# Alternate VCOD Zoning Plan That complies with MBTA Community Act

Pam Wright  
July 31, 2023

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## Docket Items being addressed

**#38-22** Request for discussion and amendments to the Zoning Ordinance and Zoning Map regarding village center districts ZONING & PLANNING COMMITTEE requesting review, discussion and amendments relative to Chapter 30 zoning ordinances by **adding a new Village Center Overlay District**, consisting of four (4) district tiers, by establishing requirements for such District, and requesting amendments to the Zoning Map to include the Village Center Overlay District.

**#39-22** Requesting discussion on state guidance for implementing the **Housing Choice Bill** COUNCILOR CROSSLEY on behalf of the Zoning & Planning Committee requesting discussion on state guidance for implementing the Housing Choice element of the MA Economic Development legislation. (formerly #131-21)

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**Total 17,920 units in all village centers will be zoned by right, not including additional lot subdivisions or allowed multiple buildings on a lot**

**MBTA Communities Act requires zoning to provide 8330 units by right with no special permit, variance, waiver or other discretionary zoning approval**

**Utile and Planning Dept. calculate 10,000 units in limited areas to meet the MBTA Communities Act**

3

## **High Level Recommendations And will meet the MBTA requirements**

- Change the number of lots designated VC3
- Change special permit threshold to 15,000 sf
- Reduce number of lots in the village overlay districts
- Require minimum lot requirements for MRT and VC1 designated lots to promote Adaptive Reuse of existing buildings, versus lot subdivisions
- Include Auburndale and Newton Corner in the MBTA calculations

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## Methodology to create Village Zoning Database

- Downloaded data from the Assessor's database
- Classified each property as MRT, VC1, VC2 and VC3 and eliminated duplicates
- Determined priority streets properties and abutting residential or non residential lots
- Used variables for setbacks, average unit size, max footprint, special permit threshold, story heights, and more
- Each lot is a stand alone even though one building on multiple lots and/or one owner for adjacent lots
- **Calculated:**
  - Maximum footprint, maximum building size, village center units, MBTA units, special permit lots and units with density variable, MRT dividable lots and more

**Database created by Councilors John Oliver and Pam Wright**

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## Variables that can be easily changed to calculate city wide and MBTA Communities units in optimizing village zoning

- **Change Special Permit thresholds**
- **Change setbacks and/or building heights**
- **Change VC lots to another designation**
- **Change priority street locations**
- **Change unit density for Special Permit lots**

**Database will soon have a shared link**

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## Various Parameter changes and the effect on units And still meet MBTA Communities Act

Zoning Options Examples	VCOD units
Utile/Planning Dept Baseline VCOD unit count	did not calculate
Baseline VCOD by right without lot subdivision or multiple bldgs on lot; Special Permit threshold 30,000 sf	17,919
Replace all VC3 with VC2, Special Permit threshold 30,000 sf	15,423
Add VC3 in select locations, Replace all other VC3 with VC2, Special Permit threshold 30,000 sf	15,914
Above VC3 in select locations; Special Permit threshold 20,000 sf	14,314
Above VC3 in select locations; Special Permit threshold 15,000 sf	12,708
Above VC3 in select locations; Special Permit threshold 15,000 sf; add Auburndale and 38 acres of Newton Corner	12,708

**With the database, changes can be easily made to optimize unit count; once desired parameters are chosen, it can run through the MBTA formula**

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## 2659 Multifamily units not completed Less than 20% in the VCOD

Multifamily projects	Residential units	Multifamily projects	Residential units
<b>Total</b>	<b>2659</b>	106 River St	9
Riverdale	204	416-418 Langley	6
Northland/Needham St	800	1114 Beacon	34
Riverside	550	136-144 Hancock (Walker)	16
Dunstan East	292	120 Norwood	4
Walker & Washington St.	28	1 Jackson St	6
West Newton Armory	43	20 Clinton St	4
300 Eliot St.	4	71 Comm Ave	6
50 Highland Ave.	4	77 Hartford St	4
145 Warren St.	5	283 Melrose	16
386-394 Watertown St.	10	432 Cherry	3
667 Boylston St.	4	15-21 Lexington	24
1092-1094 Chestnut St.	4	280 Newtonville	18
1149-1151 Walnut St.	25	956 Walnut	7
Mr. Sushi/ 383 Boylston	12	160 Stanton Ave	69
Craft St senior Living	185	264 Pearl	3
24 Wilson Cir	5	20 Kinmouth	24
63-65 Broadway	3	34 Prescott St	4
Santander Bank (50)	50	2 Life Golda Meir House	174

**Two 40B projects soon to be approved outside of Village Centers: additional 568 Units**

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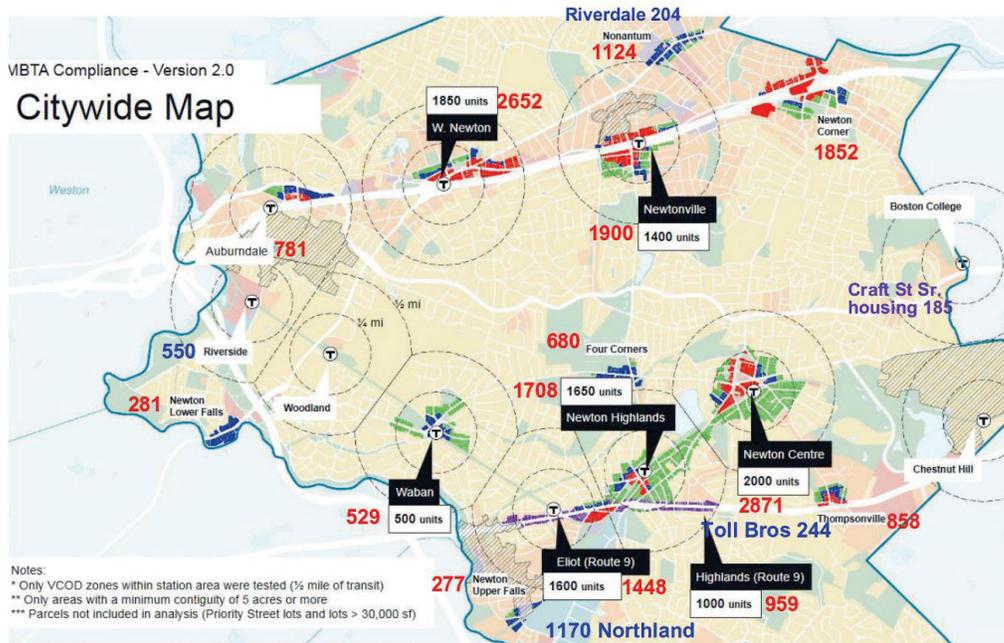
## **Additional analysis required with the large increase in by right units**

- **Infrastructure**
- **City services – police, fire, school, recreation fields, etc**
- **Fiscal**
- **Traffic**

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**Our database is a tool to better understand how changing various zoning parameters in the VCOD proposal affects the overall housing unit count and our ability to reach MBTA Communities Act compliance**

**VCOD permits by right including all villages and priority streets: 17,920 units**  
**Additional 40B and large special permits approved by not built: 2,353 units**



**Red numbers: number of units by right including priority street lots**  
**Black numbers: number of units calculated by Utile excluding priority street lots**  
**Blue numbers: 40B and large special permits approved but unbuilt and not in the village zoning**

**End**

## Various Parameter changes and the effect on units

Zoning Options Examples	VCOD units	MBTA units
Utile/Planning Dept Baseline VCOD unit count	did not calculate	10,000
Baseline VCOD by right without lot subdivision or multiple bldgs on lot; Special Permit threshold 30,000 sf	17,919	9,717
Replace all VC3 with VC2, Special Permit threshold 30,000 sf	15,423	8,568
Add VC3 in select locations, Replace all other VC3 with VC2, Special Permit threshold 30,000 sf	15,914	8,913
Above VC3 in select locations; Special Permit threshold 20,000 sf	14,314	7,943
Above VC3 in select locations; Special Permit threshold 15,000 sf	12,708	7,087
Above VC3 in select locations; Special Permit threshold 15,000 sf; add Auburndale and 38 acres of Newton Corner	12,708	8,320
<b>With database, changes can be easily made to optimize unit count; once parameters are chosen, run it though the MBTA formula</b>		

Note: VCOD unit column includes all villages and priority streets. MBTA unit columns include only designated villages in Planning Dept Map 2.0 excluding priority streets for MBTA Communities Act count except for last line.

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## Additional suggestions

- Reduce residential areas in villages to meet 8330 unit requirements
- Add Auburndale and 38A of Newton Corner to MBTA unit count
- Require site plan review for lots greater than 8000 sf in VC zones
- Allow one extra floor incentive in certain areas in the village centers
- Require special permit for priority street lots greater than 8000 sf
- Increase building separation
- Require usable open space in MRT and VC1 lots
- Keep lot requirements (size and setbacks) for MRT and VC1 as in the present zoning

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# Can reduce contiguous land to 50% and add 10% outside station area And still meet the MBTA Communities Act 8330 units and reduce overall Unit count.

MBTA Communities Compliance  
Version 2.0 VCOD Meets MBTA Compliance

MBTA Compliance Summary (rounded)

	MBTA Requirements (min.)	Version 2.0 VCOD Results	MBTA Compliant
Unit Capacity	8,330 units	10,000 units	YES
Aggregate Gross Density	15 units/acre	35 units/acre	YES
Total Land Area	50 acres	288	YES
% of District to be Located in Station Area	90%	100%*	YES
% of Contiguous Land for Multi-Family Zoning District(s)	50%	69%	YES

Notes:  
\* Only VCOD zones within station area were tested  
\*\* Parcels not included in analysis (Priority Street lots and lots greater than 30,000 sf)  
\*\*\* Assumes no minimum parking requirements

Must meet every requirement to reach compliance

Calculations:

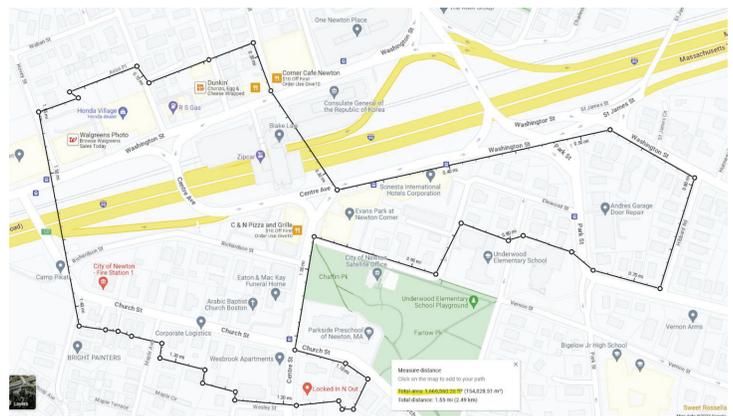
		Acres
now	total land	288
now	contiguous land - 69%	199
	can add the following for 50% contiguous	109
	can add 10% outside transit	40

## Additional villages added to MBTA Communities Act units

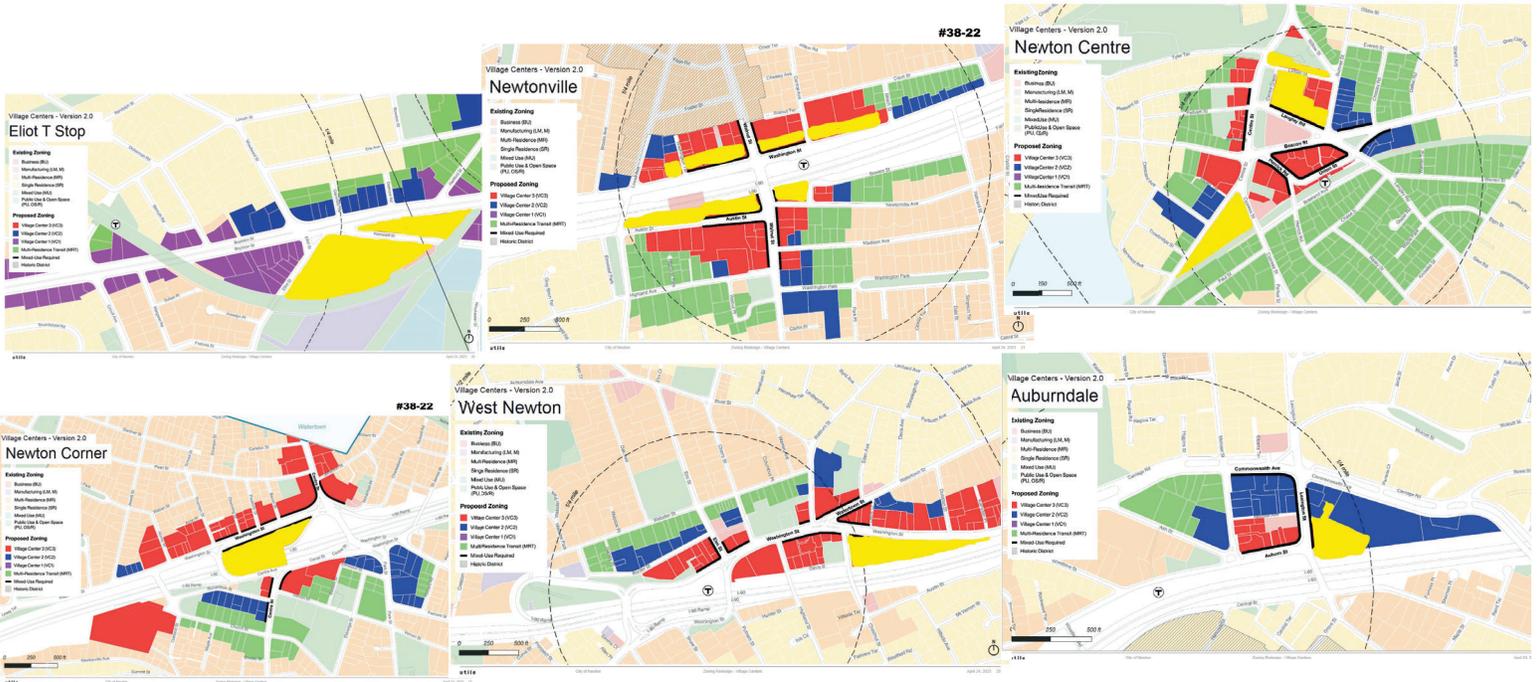
Auburndale 16.3 acres within 0.5 miles of transit



Modified Newton Corner 38.3 acres outside transit



# Propose changing all VC3 to VC2 except areas in yellow below



## Proposed Corner lot subdivision example



### 472-474 Watertown St

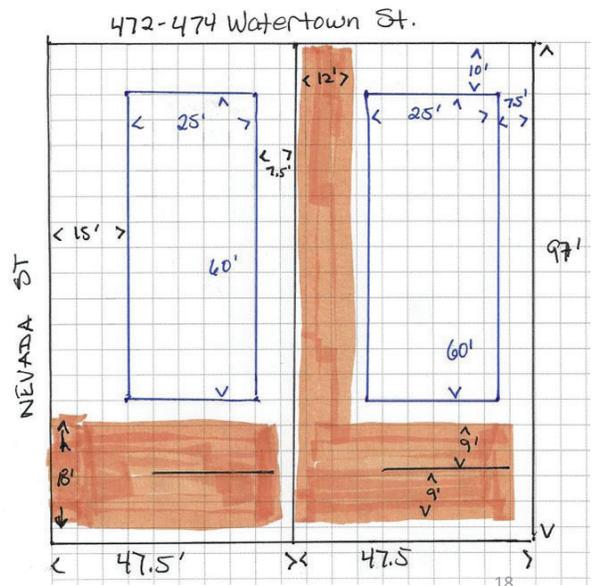
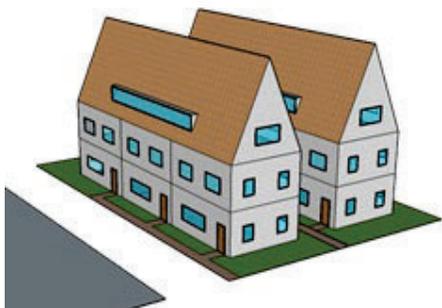
Each building is a 3 family with two 9'x19' parking stalls, 4' parking setbacks and 12' driveway

3 units are 1620 sf each

25'w x 60'l and 45' tall

9234 sf lot = 95' x 97' Could it be subdivided into two 47.5' x 97' lots

In this example, if house is 27' x 56' then 3 parking stalls would fit in the back



# Easily modified database variables

	scale factor	max footprint	footprint threshold	abutting			Not abutting			Stories + half	
				rear setback	side setback	front setback	rear setback	side setback	front setback		
VC 1	0.4	4000	5600	15	15	10	15	10	10	3.7	
VC 2	0.4	10000	14000	15	15	0	5	0	0	3	
VC 3	0.35	15000	20250	15	15	0	5	0	0	4	
MRT	0	1500	1500	15	15	10	15	15	10	2.8	
VC 4	0.35	15000	20250	15	15	0	5	0	0	4	
Special Permit Threshold			30000	Special Permit sf calculation for unit numbers; units/acre			50				
Sqft / Unit			1000								

Note: scale factor used to Determine multiple buildings On a lot

# sample database

	A	B	C	D	E	F	G	H	I	J	K	M	U	V
	Village	Proposed VCOD	Priority st	abut R	VC 1 abut	R rear	R side	shape factor	note	SI	No1	Street	Frontage	Lot size
428	Newton Centre	VC 2	yes	no		no	no			8	22	UNION ST	45	3617
429	Newton Centre	VC 3	yes	no		no	no			6	49	UNION ST	147	8735
430	Newton Centre	VC 3	no	no		no	no			5	50	UNION ST	120	3958
431	Newton Centre	VC 3	yes	no		no	no			6	65	UNION ST	75	4148
432	Newton Centre	VC 3	no	no		no	no			5	70	UNION ST	80	2842
433	Newton Centre	VC 3	yes	no		no	no			6	93	UNION ST	267	31455

	M	U	V	AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS	AT	AU
No1	Street	Frontage	Lot size	lot depth	rear setback	side setback	front setback	calc footprint	max footprint	max fp or mult bldg	BLD volume All res	priority st res volume	volume of units	1000 sf unit size	SP units	subdivided corner lots
22	UNION ST	45	3617	80		5	0	0	3392	3392	3392	12079	8687	9		0
49	UNION ST	147	8735	59		5	0	0	8000	8000	8000	37376	29376	29		0
50	UNION ST	120	3958	33		5	0	0	3358	3358	3358	14914	14914	15		0
65	UNION ST	75	4148	55		5	0	0	3773	3773	3773	17307	13534	14		0
70	UNION ST	80	2842	36		5	0	0	2442	2442	2442	10859	10859	11		0
93	UNION ST	267	31455	118		5	0	0	30120	15000	30120	67396	52396	SP		36

Column AS formula: =if(or(\$B428="MRT", \$C428="dup"),0,if(\$V428<pivots!\$F\$32,if(\$H428>0,ROUND(min(\$AQ428,\$AR428)/\$AS\$1,0)\*\$H428,ROUND(min(\$AQ428,\$AR428)/\$AS\$1,0)), "SP"))

# Washington St. Vision Plan calls out for special permit on greater than 3 stories or gross floor area > 20,000 sf

## Area-wide Planning Principles

### Implement planning principles through project review

The planning principles identified in this vision plan are essential to how Washington Street can accommodate residential and commercial growth while respecting the architectural character and built heritage of the community. This vision plan is setting a pathway to incremental change over time, not abrupt and immediate change to remake the corridor as a new place. Zoning, and the development project review process that accompanies it, is essential to realizing this intent.

Achieving the outcomes described in this plan will require new zoning with stronger requirements for controls on building height, size, and placement than is currently found in Newton's zoning ordinance. These requirements will need to clearly require that building heights reduce as they get closer to adjacent neighborhoods, that building widths be controlled, that taller buildings step-back in height, and that there be clear diversity in building heights within a project. At the same time, the maximum allowable height of 6 stories in some areas, as shown on the height diagram on pages 84-85, will be an important component of achieving the many public objectives of this plan, from plazas and open spaces to underground parking. Therefore, the development project review process provided by the **requirement of a special permit for any building that exceeds 3 stories in height, or contains a gross floor area greater than 20,000**, is also important for

realizing these same planning principles on individual sites. The special permit process formally brings the City into the design process through its role in reviewing and approving a project. This role should be used to further ensure that the planning principles enumerated in this vision plan are incorporated into each proposed development. To that end, the criteria in the Washington Street zoning used to shape the decision-making of the City Council on a special permit must clearly identify consistency with this vision plan and its planning principles. Among these should be the idea that the **tallest buildings should be used sparingly along the corridor**, marking significant locations and otherwise used to advance public purposes.

Setting the special permit criteria and development standards of the Washington Street zoning so that the public, property-owners and potential developers can have clear expectations of what can happen along this corridor will be one of the most important implementation steps of this plan. The vision presented here offers an opportunity to improve the quality of life for the neighborhoods and villages in the area. New zoning and thoughtful review of development proposals will be necessary to realizing that opportunity.

**“Tallest building should Be used sparingly along The corridor.”**

## Using WSVP built out estimate – now calculate for VCOD 20 year development for 2019 WSVP – 2563 new units; Recently Built/approved/planned 1135 units in WSVP area

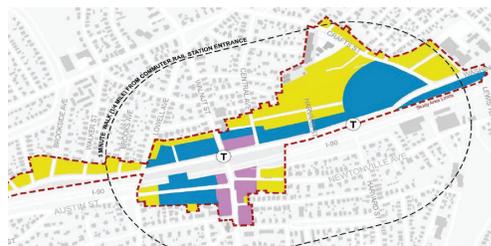
Page 178 in the Washington Street Vision Plan

**Fiscal Impacts Results**

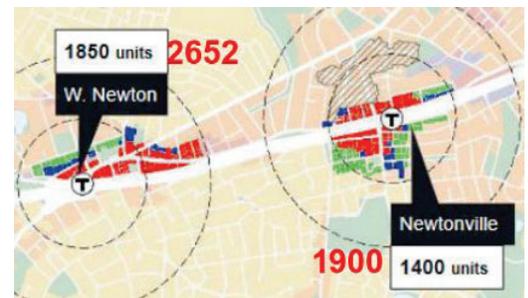
The outlook is positive. This plan for Washington Street generates net surpluses for the General Fund greater than the capital deficits. Averaged over a 20-year period, private-sector redevelopment along Washington Street would generate approximately \$999 million annually, while the costs associated with that development would only equal \$423 million annually. This evaluation is a snapshot based on current understanding. If needed, the City can refine the model. Newton will continue to balance its budget each year, considering financial guidelines and policies, applicable operating impacts, and available resources.

DEVELOPMENT PROGRAM SUMMARY	Option 1	Option 2
<b>Housing Units</b>	<b>3,584</b>	<b>3,757</b>
Existing/Remaining Housing Units	523	523
<b>New Housing Units</b>	<b>2,541</b>	<b>2,734</b>
<b>Population</b>	<b>6,079</b>	<b>7,402</b>
Existing/Remaining Population	1,021	1,021
New Population	5,048	6,371
<b>Public School Students</b>	<b>1,088</b>	<b>1,325</b>
Existing/Remaining Public School Students	184	184
New Public School Students	903	1,140
<b>Nonresidential SF</b>	<b>3,678,344</b>	<b>4,411,901</b>
Existing/Remaining Nonresidential SF	1,391,740	1,391,740
New Nonresidential SF	2,286,605	3,220,161
<b>Jobs</b>	<b>14,785</b>	<b>18,418</b>
Existing/Remaining Jobs	5,774	5,774
New Population	9,011	12,644

Note: The above values are not cumulative between options, but rather show totals that are unique for each option, as an increase over the existing condition. The values represent the net retained, plus net new for each category.



**Footnote:**  
 • This is an illustration of principles only; this is not a regulatory or zoning map.  
 • Further nuance must be developed in Washington Street Zoning including specifying the limits of each zoning.



Red numbers are total built out units in VCOD

## Math to calculate VCOD 20 year build out

### Rough Calculation for 20 year build out

- 4600 units (from VCOD map)
- Add 700 units for special permits in MBTA map using 45 units/acre
- Add ~1000 units for expanded WSVP in Whole Foods area
- Minus 400 units for expanded MBTA maps in Newtonville not in WSVP;
- Minus 520 existing units (per WSVP) so ~5400 units for maximum additional buildout for WSVP
  
- 20 year build out estimate 2563 units

### Therefore, expect ~50% build out in 20 years

In the 2019 Washington St Vision Plan area, multifamily buildings:

- Over 800 units built or approved: 31% of total 20 year build out
- Over 300 additional units getting ready for special permit process: 12%
- At least 4 properties bought by developers and Swedenborgian Church now for sale
- Plus underused developer owned properties (i.e parking lots, etc)

City of Newton  
Zoning & Planning Committee



# Village Center Rezoning Phase 5: Version 2.0 Draft Zoning

July 31, 2023

## Agenda

- 1. How We Got Here**
  - a. Timeline: Where We Are
  - b. Zoning Approach
  
- 2. Street Visualizations**
  - a. Considerations for potential development
  - b. Near-term potential development
  - c. Medium-term potential development
  - d. Far-term potential development
  
- 3. Next Steps**

Zoning Approach

The figures below represent proposed by-right zoning allowances for new construction

**MRT\***

**2.5** Stories  
**40** Feet tall, max.  
**1,500** SF, max. Footprint

Residential development allowed



**VC1**

**2.5** Stories  
**45** Feet tall, max.  
**4,000** SF, max. footprint

Residential & Limited Retail development allowed



**VC2**

**3.5** Stories  
**62** Feet tall, max.  
**10,000** SF, max. footprint

Mixed Use/Commercial, & Residential development allowed



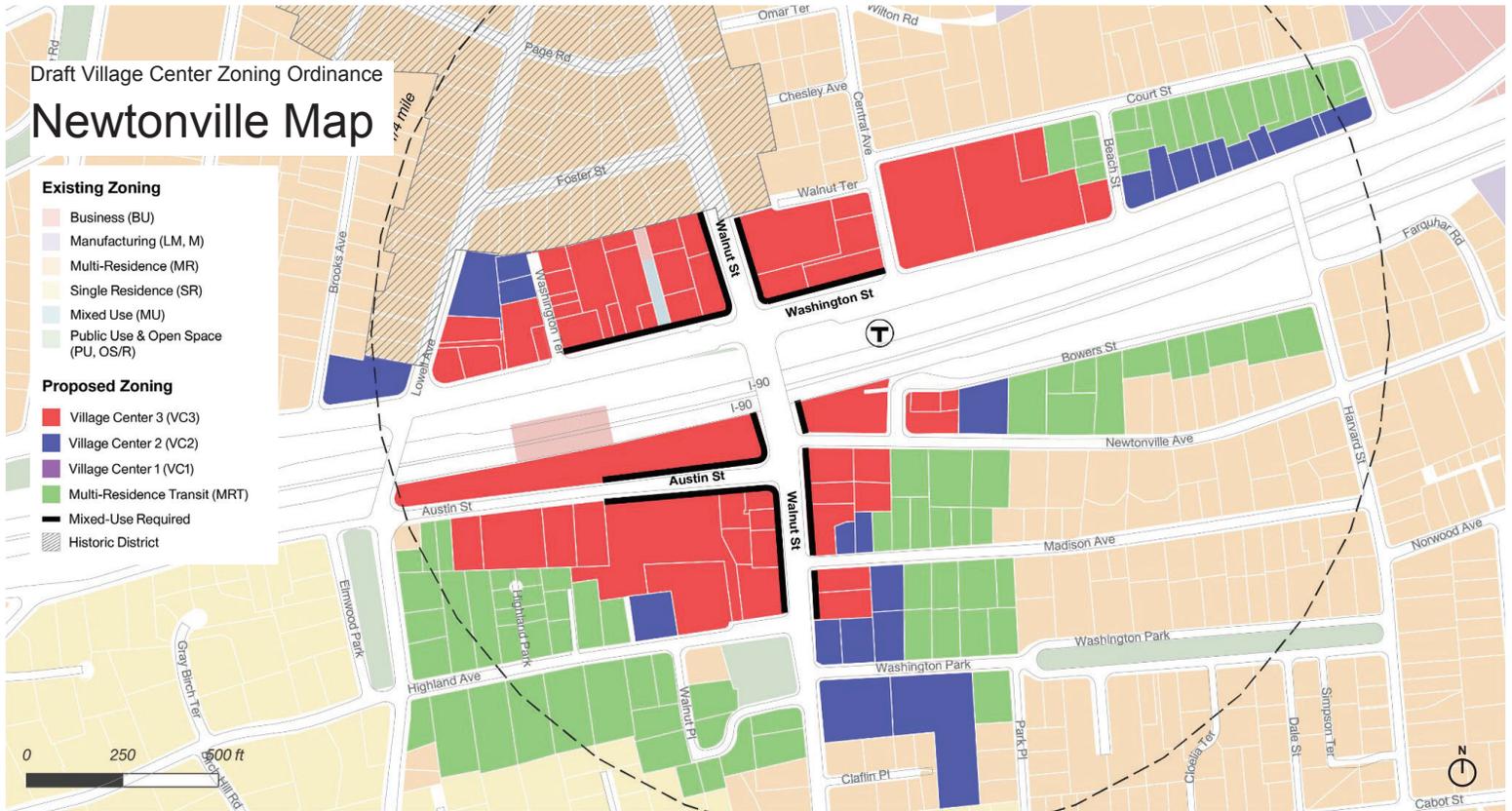
**VC3**

**4.5** Stories  
**75** Feet tall, max.  
**15,000** SF, max. footprint

Mixed Use/Commercial, & Residential development allowed



\* MRT metrics may be revised based on financial feasibility and urban form studies



# Draft Village Center Zoning Ordinance

1. [How We Got Here](#)
2. **Street Visualizations**
3. [Next Steps](#)

The following pages present test-fits of likely development in the near, medium and long term future. These visualizations are the result of analysis along one street segment in Newtonville and are based on a series of factors that a property owner may consider.

## Street Visualizations

# Considerations for Potential Development

### Parcel Ownership

- Does the parcel have one owner or several owners? If the site is owned by more than two owners, it is less likely for it to be redeveloped in the near or medium-term.

### Parcel Size

- How large is the parcel? If the parcel is on the smaller side, a developer may want to wait to acquire an adjacent parcel in order to build closer to the maximum allowable footprint.

### Size of Existing Development

- How large is the existing structure? If the development is already close to the massing thresholds proposed in the overlay zoning, it is likely that no new development will happen on that parcel.

### Existing Value

- Does the parcel already have high embedded value? Higher value parcels with newer development will not be likely candidates for redevelopment in the near or medium-term.

### MRT Conversion vs New Construction

- How large is the existing development? If the existing footprint is within 100' of the proposed 1,500 sf max footprint, then it will not be redeveloped. Instead, it may be a more likely candidate to add an addition so that it can have more units.

Street Visualizations

# Street Selection

Madison Avenue, Newtonville is an ideal street segment to test because:

- VCOD zones taper down from VC3 to MRT along one street
- This segment spans from a key retail corridor to a residential neighborhood



Street Visualizations

# Soft Site Analysis



1.308-322 Walnut

2.105-107 Madison



3.103 Madison Ave

4.101 Madison Ave



5.95-97 Madison Ave

6.91-93 Madison Ave



7.89 Madison Ave

8.83-85 Madison Ave



Street Visualizations

# Soft Site Analysis



1.324 Walnut /108 Madison

2.100 Madison



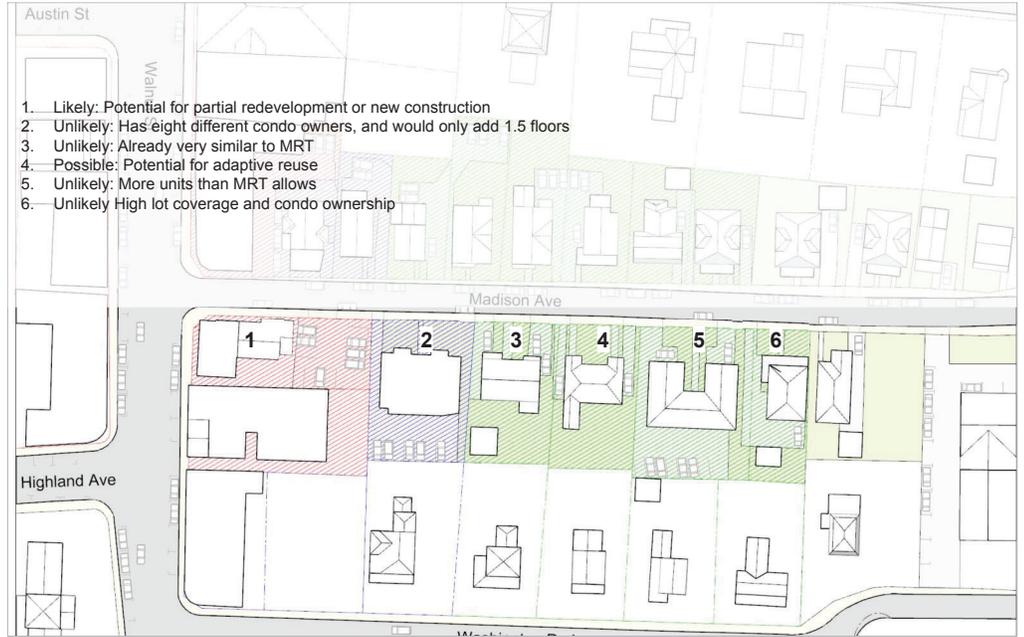
3.94-96 Madison Ave

4.88 Madison Ave



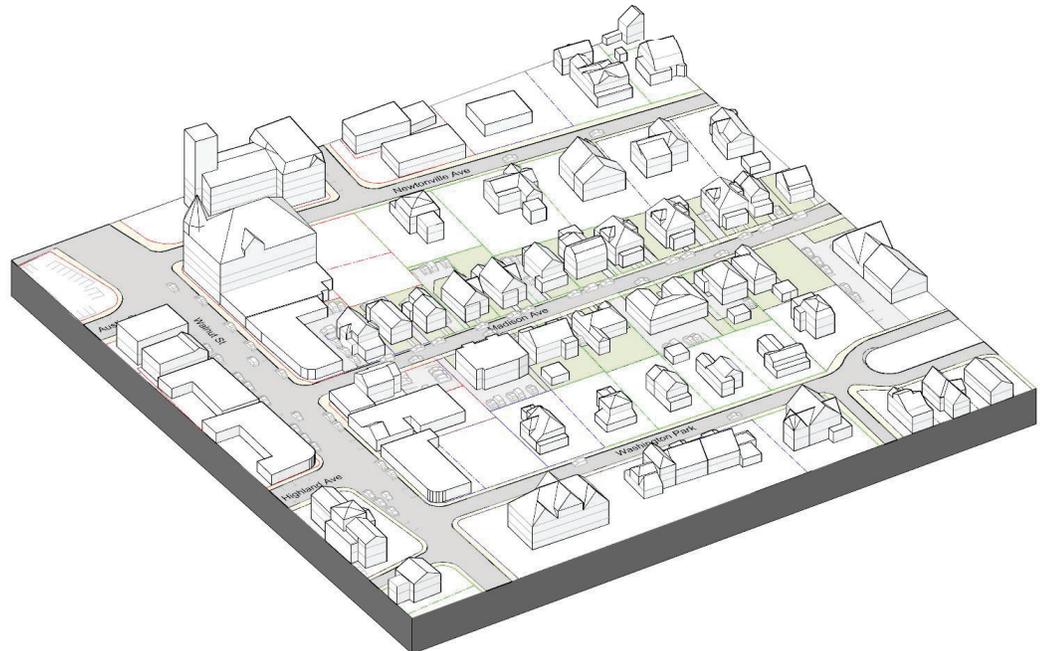
5.80-82 Madison Ave

6.76-78 Madison Ave



Street Visualizations

# Existing Site



Street Visualizations

# Short Term



Two driveways can fit two tandem parked cars.



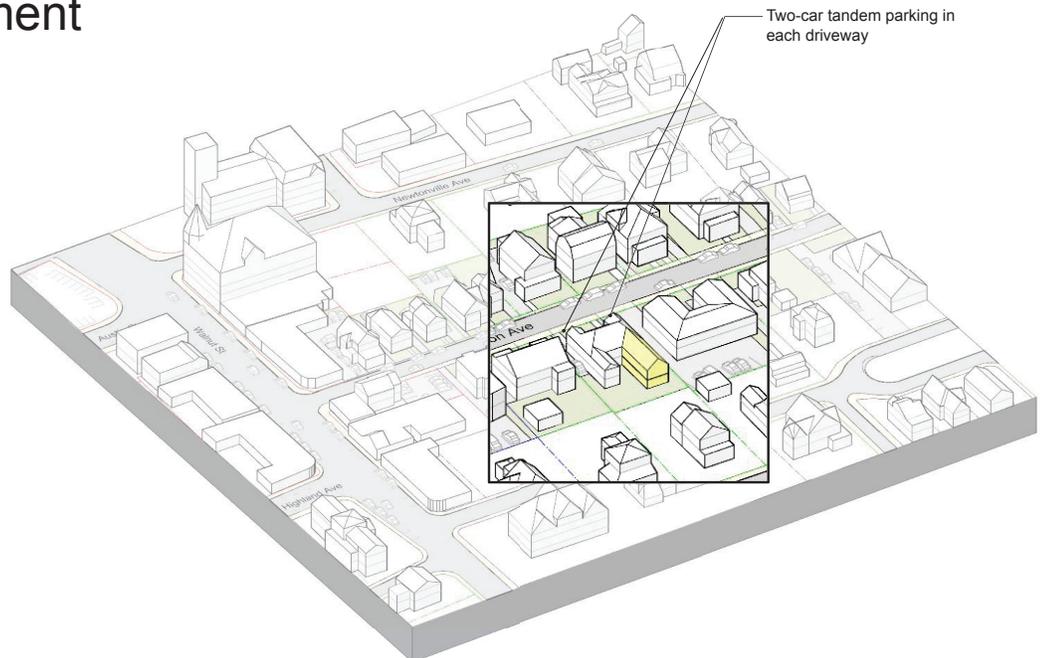
Street Visualizations

# Short-Term Development

## 88 Madison Ave, MRT

Existing: Two-family  
Proposed: Multi-family conversion

Regulations	Test Fit Count
Lot Area	8,580 sf
Height	2 stories; 27'
Existing Footprint	2,130 sf
Proposed Footprint	810 sf (addition)
Total Bldg Area	7,840 gsf
Net Resi Area	6,660 nsf*
Avg Unit Size	1,660 sf
Number of Units	4
Usable Open Space	55%
Parking Spaces	4 (1/unit)



\*Net Residential Area assumes 85% efficiency

Street Visualizations

# Medium-Term Development



1. Large surface parking area behind 308-322 Walnut



2. Shared driveway between 93-91 and 89 Madison



Street Visualizations

# Medium-Term Development

## 308-322 Walnut St, VC3

Existing: Retail, single story  
Proposed: Mixed-use

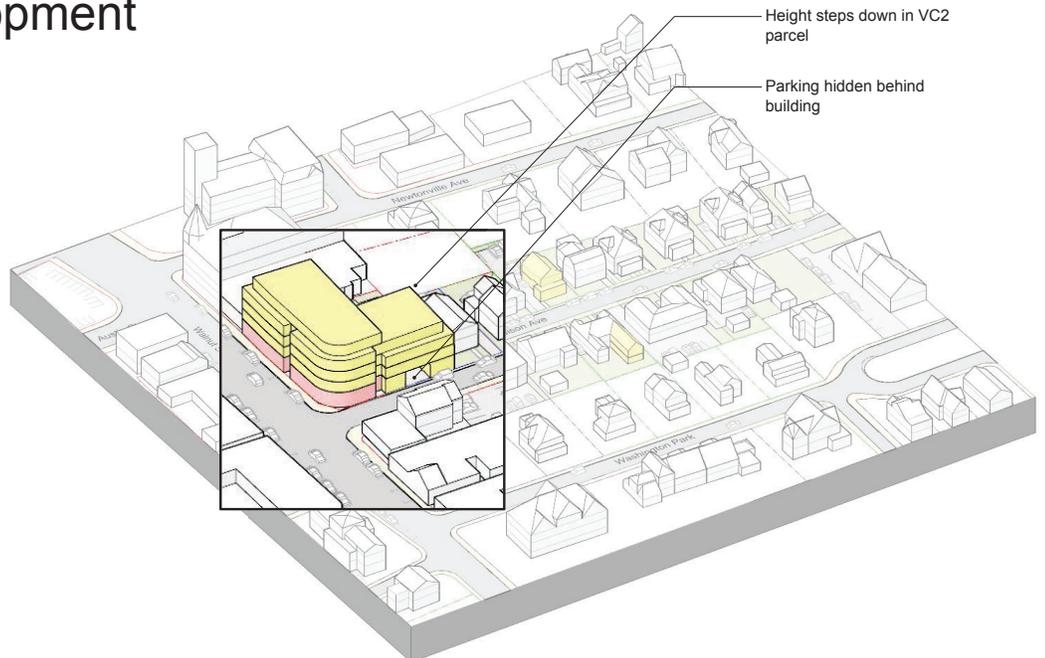
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## 105-107 Madison Ave, VC2

Existing: Two-family  
Proposed: Multi-family

Regulations	Test Fit Count
Lot Area	16,465 sf
Height	4.5 stories, 57'; 3.5 stories, 46.5'
Existing Footprint	7,290 sf; 1,920 sf
Proposed Footprint	11,635 sf
Total Bldg Resi Area	40,190 gsf
Net Resi Area	34,160 nsf*
Avg Unit Size	1,000 sf
Number of Units	34
Usable Open Space	-
Parking Spaces	22 (0.6/unit)

\*Net Residential Area assumes 85% efficiency



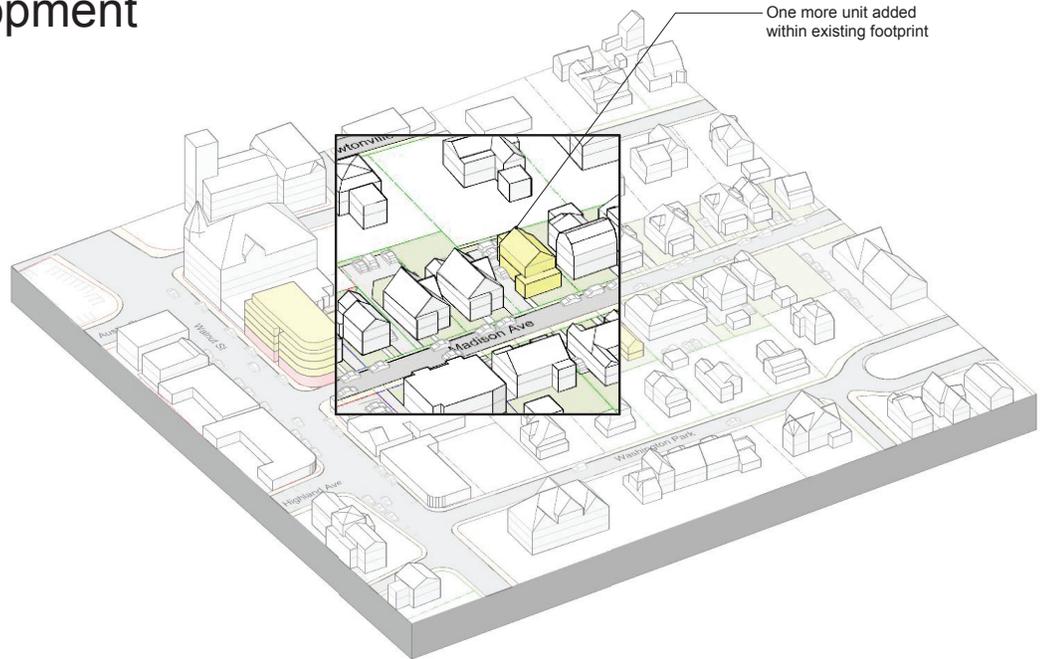
Street Visualizations

# Medium-Term Development

## 89 Madison Ave, MRT

Existing: Two-family  
Proposed: Multi-family conversion

Regulations	Test Fit Count
Lot Area	8,860 sf
Height	2.5 stories; 35'
Existing Footprint	1,660 sf
Proposed Footprint	–
Total Bldg Area	3,745 gsf
Net Resi Area	3,185 nsf*
Avg Unit Size	1,060 sf
Number of Units	3
Usable Open Space	38%
Parking Spaces	3 (1/unit)



\*Net Residential Area assumes 85% efficiency

Street Visualizations

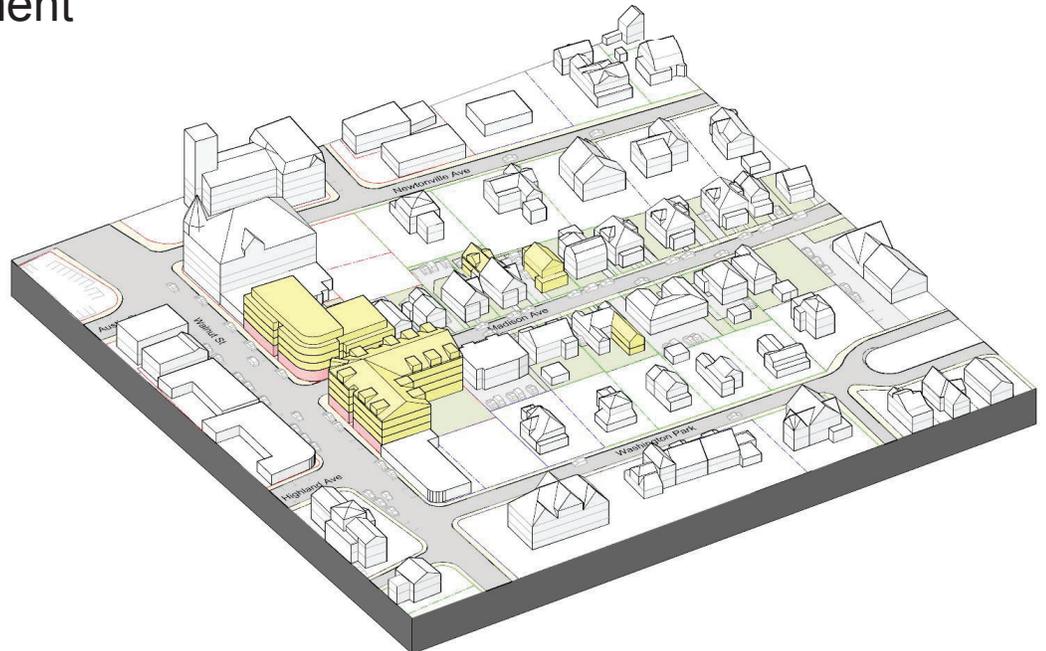
# Long-Term Development



1. Large surface parking behind 324 Walnut/108 Madison



2. Shared driveway between 93-91 and 89 Madison



Street Visualizations

# Long-Term Development

**324 Walnut St /  
108 Madison, VC3**

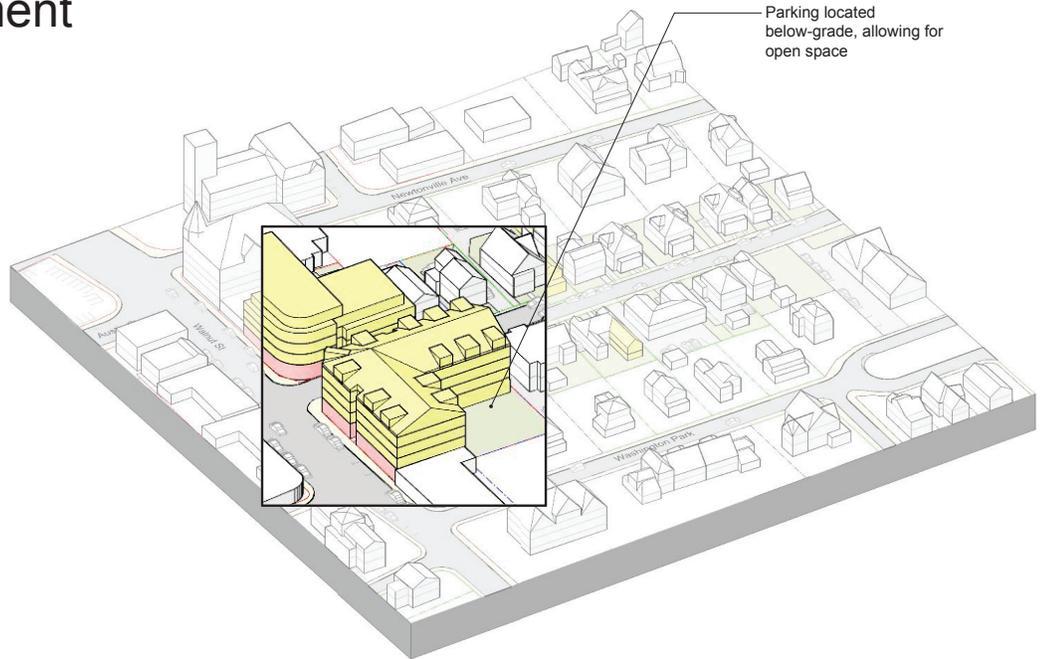
Existing: Retail, single story  
Proposed: Mixed-use

+

**330-334 Walnut St, VC3**

Existing: Two-family  
Proposed: Mixed-Use

Regulations	Test Fit Count
Lot Area	20,000 sf
Height	4.5 stories, 64.5'
Existing Footprint	3,025 sf, 7,070 sf
Proposed Footprint	13,770 sf
Total Resi Bldg Area	54,490 gsf
Net Resi Area	46,315 nsf*
Avg Unit Size	1,000 sf
Number of Units	46
Usable Open Space	30%
Parking Spaces	44 (1/unit)



\*Net Residential Area assumes 85% efficiency

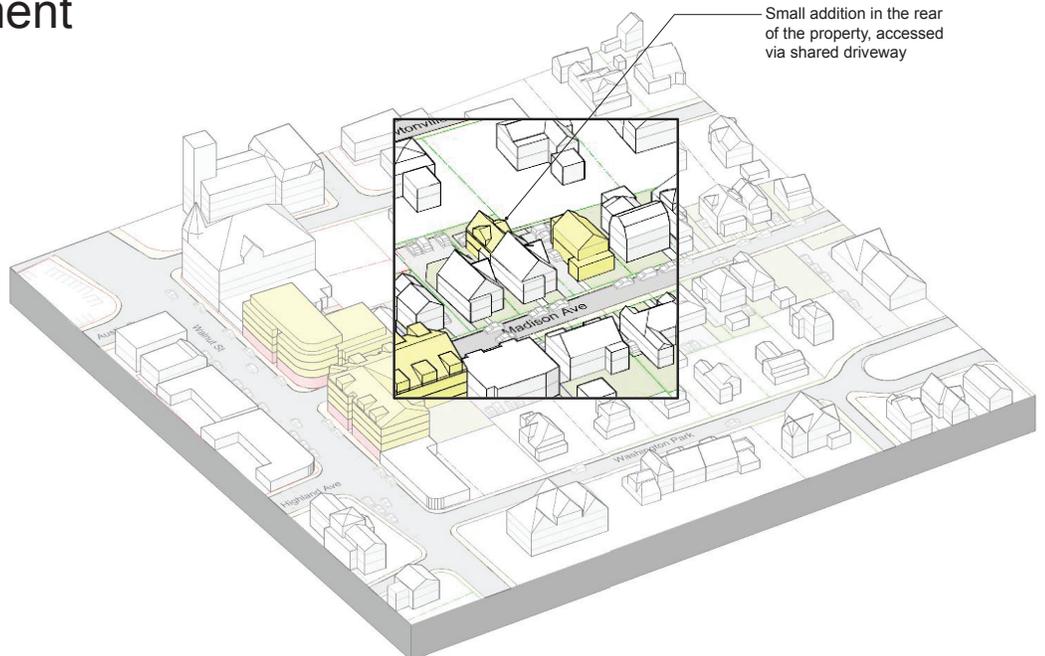
Street Visualizations

# Long-Term Development

**91-93 Madison Ave, MRT**

Existing: Two-family condo  
Proposed: Multi-family conversion

Regulations	Test Fit Count
Lot Area	6,880 sf
Height	2.5 stories; 35'
Existing Footprint	2,055 sf
Proposed Footprint	800 sf (addition)
Total Bldg Area	7,410 gsf
Net Resi Area	6,300 nsf*
Avg Unit Size	1,575 sf
Number of Units	4
Usable Open Space	34%
Parking Spaces	3 (0.75/unit)



\*Net Residential Area assumes 85% efficiency

# Conclusions

The key determinants for understanding the likelihood of future redevelopment include:

- The size of the existing building footprint
- The amount of existing on-site parking
- The ownership structure of the existing property (rental vs. condos)

The decision to redevelop or sell a property is completely up to the private property owner. These factors may come into play:

- Purchase price of the property vs. current market conditions (increase in value over time)
- Condition of the property
- The desire to relocate because of a job, retirement, etc.
- Decision to not sell or redevelop because of job, lifestyle preferences, etc.

Timeline: Where we are

## Next Steps

